



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष १ अंक ४६]

शुक्रवार, डिसेंबर ४, २०१५/अग्रहायण १३, शके १९३७

[पृष्ठे ४, किंमत : रुपये ११.००

असाधारण क्रमांक ९२

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 4th December 2015

NOTIFICATION

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB. 4312/263/CR-77/2013/UD-11.—Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as “the said Regulations”) have been sanctioned by the Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) *vide* Notification No. DCR. 1090/RDP/UD-11, dated the 20th February 1991 so as to come into force with effect from the 25th March 1991;

And whereas, the Government in the Urban Development, *vide* Notification No. TPB 4308/776/CR-127/2008/UD-11, dated the 24th October 2011, has incorporated a new clause (1) (B) (iii) in Table No. 14 of Regulation 32, to permit additional 0.33 F.S.I. in suburbs and extended suburbs of Greater Mumbai Subject to payment of premium based on land rates of Annual Statement of Rates (ASR) of the Year 2008;

And whereas, the Government, in the Urban Development Department has decided in the public interest to increase such additional F.S.I. and to revise the rates of premium for this additional F. S. I. Accordingly it is necessary to urgently carry out suitable modification to the existing clause (1) (B) (iii) in Table No. 14 of Regulation 32 and therefore the Government, in exercise of the powers conferred under sub-section (1AA) of section 37 of the said Act had issued Notice of even number 2 dated 18th March 2015 for inviting suggestions/objections from the general public with regard to the modification in respect of Regulation for clause (1) (B) (iii) in Table Number 14 of Regulation 32 (hereinafter referred to as “the proposed modification”) proposed in the Schedule appended to the said Notice and appointed the Deputy Director of Town Planning, Greater Mumbai as the Officer (hereinafter referred to as “the said Officer”) to submit a Report on the suggestions/objection received in respect of the proposed modification to the Government after giving hearing to the concerned persons and the Municipal Corporation of Greater Mumbai;

And whereas, the said Notice dated 18th March 2015 was published in the Maharashtra *Government Gazette* (Extra-Ordinary Gazette)-Konkan Division supplement dated 4th April 2015 and the said officer has submitted his Report *vide* letter dated 17th October 2015 through the director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under section 37(1AA) of the said Act;

And whereas, after considering the report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with some changes;

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(C) of the said Act, the Government hereby :—

(A) Sanctions the proposed modification as described more specifically in the Schedule appended hereto.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Directs the Municipal Corporation of Greater Mumbai that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule appended hereunder shall be added.

This Notification shall also be available on the Government of Maharashtra website www.maharashtra.gov.in

SCHEDULE

Sanctioned Modification to Regulation 32, Table No.14 Clause (1)(B)(iii)

Regulation No.	Existing Provision	Proposed Provision (as per notice dt. 18th March 2015)	Sanctioned Modification
(1)	(2)	(3)	(4)
Regulation 32, Table 14, clause 1 (B)(iii)	Provided that FSI may be permitted to exceed upto 1.33 subject to following conditions: —	Provided that FSI may be permitted to exceed upto 1.60 subject to following conditions: —	Provided that FSI may be permitted to exceed upto 1.50 subject to following conditions: —
	(1) Additional 0.33 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot.	(1) Additional 0.60 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot.	(1) Additional 0.50 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot.
	(2) The total maximum permissible FSI, with 1.33 FSI, Road FSI and TDR shall be restricted to 2.00.	(2) The total maximum permissible FSI, with 1.60 FSI, Road FSI and TDR shall be restricted to 2.00.	(2) The total maximum permissible FSI, with 1.50 FSI, Road FSI and TDR shall be restricted to 2.00.
	(3) As per concept of TDR, additional FSI shall be permissible on gross plot area.	(3)-----No change-----	(3) No change in Existing Provision.
	(4) Additional FSI available as per Regulation 33, shall be related to basic FSI of 1.00 only.	(4)-----No change-----	(4) No change in Existing Provision.

Schedule-Contd.

(1)	(2)	(3)	(4)
	(5) Premium shall be charged for additional 0.33 FSI, as per the rates mentioned in Annexure. However, the Government may revise these rates from time to time.	(5) Premium shall be charged for additional 0.60 FSI, at the rate of 60% of the land rates of Annual Statement of rates (ASR) of the year in which such FSI is granted.	(5) Premium shall be charged for additional 0.50 FSI, at the rate of 60% of the land rates of Annual Statement of rates (ASR) of the year in which such FSI is granted.
	(6) Premium shall be shared between the state Government and MCGM on 50:50 basis : The MCGM shall utilise the premium through Escrow Account for implementation of Development Plan and infrastructure. However Government shall have right to change this ratio, depending upon the need for providing funds from Government for infrastructure projects in Mumbai.	(6)-----No change-----	(6) No change in Existing Provision.
	(7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR,0.33 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR/FSI while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.33 FSI.	(7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR,0.60 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR/FSI while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.60 FSI.	(7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR,0.50 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR/FSI, while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.50 FSI.
	(8) No vertical extension of existing building by utilizing 0.33 FSI shall be permitted with erection of columns in the required marginal open space.	(8) No vertical extension of existing building by utilizing 0.60 FSI shall be permitted with erection of columns in the required marginal open space.	(8) No vertical extension of existing building by utilizing 0.50 FSI shall be permitted with erection of columns in the required marginal open space.
	(9) Tenement density shall be relatively increased as per the increase in FSI above 1.00.	(9) -----No change-----	(9) No change in Existing Provision.
	(10) 0.33 additional FSI shall not be permitted in Bandra-Kurla Complex, SRA Schemes under Regulation 33(10), CRZ	(10) 0.60 additional FSI shall not be permitted in Bandra-Kurla Complex, SRA Schemes under Regulation 33(10), CRZ	(10) 0.50 additional FSI shall not be permitted in Bandra-Kurla Complex, SRA Schemes under Regulation 33(10), CRZ

Schedule-Concl'd

(1)	(2)	(3)	(4)
areas and the matters which are subjudice.	areas and the matters which are subjudice.	areas and the matters which are subjudice.	areas and the matters which are subjudice.
(11) As per the provisions of Appendix VIIB under DCR 33(10) and 33(14), the extent of slum TDR shall be at least 20% of total permissible additional FSI (in any combination of additional FSI and TDR).	(11)-----No change-----	(11) No change in Existing Provision.	
(12) The relaxation of premium i.e. 10% of normal premium shall be charged while condoning deficiencies in open spaces (as applicable for use of slum TDR)	(12)-----No change-----	(12) No change in Existing Provision.	
(13) Additional 0.33 FSI shall not be applicable industrial user.	(13) Additional 0.60 FSI shall not be applicable industrial user.	(13) Additional 0.50 FSI shall not be applicable industrial user.	

By order and in the name of the Governor of Maharashtra,

KISHOR D.GIROLLA,
Under Secretary to Government.